UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/783,666	02/14/2001	Reiner Kraft	ARC920010009US1	9116

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EXAMINER
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ART UNIT	PAPER NUMBER
2154	3

DATE MAILED: 04/08/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *14 February 2001*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-20* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-20* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *14 February 2001* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

        1.☐ Certified copies of the priority documents have been received.

        2.☐ Certified copies of the priority documents have been received in Application No. _____.

        3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date 2.

4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

DETAILED ACTION

1. Claims 1-20 presented for examination.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35

U.S.C. 102 that form the basis for the rejections under this section made in

this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1,2, and 4-10 are rejected under 35 U.S.C. 102(b) as being

anticipated by DeLorme et al. (5,948,040) (hereinafter DeLorme).

4. As per claim 1, DeLorme discloses a method for automatic

relevance-based preloading data to a computing device (col 48, lines 5-33),

comprising:

identifying any one or more of persons or current scheduled tasks prior

to the occurrence of the tasks (fig 5, col 48, lines 47_67) ;

analyzing the relevance of stored data (col 49, lines 1-6) to any one or more of the current scheduled tasks or persons (col 49, lines 1-32);

sorting the stored data based (col 49, lines 51-59) upon the relevance to any one or more of the current scheduled tasks or persons (col 49, lines 33-59);

setting a predetermined relevance threshold (col 48, lines 5-33, zip code, phone exchange areas are setting relevance threshold) , and

preloading (col 48, 30-33, transferring is preloading) selected sorted data to the computing device (col 48, lines 25-33) with relevance higher than the relevance threshold (col 48, lines 5-33).

5.   As per claim 2, DeLorme discloses analyzing the relevance includes estimating a proximity of the stored data items to any one or more of persons or current scheduled tasks, based on one or more of three proximity measures distance, time, association (col 22, lines 19-37).

6.   As per claim 4, DeLorme discloses step of analyzing the relevance includes analyzing the proximity of information items to any one or more of the current scheduled tasks or persons (col 22, lines 19-37 and col 21-57 and col 19, lines 9-67).

7.   As per claim 5, DeLorme discloses wherein the step of analyzing the

proximity of information items includes measuring proximity in terms of

distance, time, and/or association (col 22, lines 19-37 and col 21-57 and col

19, lines 9-67).

8.   As per claim 6, DeLorme discloses preloading selected sorted data to

the computing device includes preloading the data to a communication

device (col 12, lines 1-16).

9.   As per claim 7, DeLorme discloses preloading the data to the

communication device includes preloading the data to a mobile telephone

(col 16, lines 32- 52).

10.   As per claim 8, DeLorme discloses preloading the data to the

communication device includes preloading the data to a personal digital

assistant (PDA) device (col 16, lines 32- 52).

11.   As per claim 9 , DeLorme discloses the step of preloading the data

includes preloading the data to a personal computer(col 14, lines 20-67).

12.   As per claim 10, DeLorme discloses identifying any one or more of

current scheduled tasks or persons includes identifying events scheduled in a

user's calendar, locations, and/or time frames (col 59, lines 35-67).

Claim Rejections - 35 USC § 103

13.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis

for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or
> described as set forth in section 102 of this title, if the differences between the subject
> matter sought to be patented and the prior art are such that the subject matter as a
> whole would have been obvious at the time the invention was made to a person having
> ordinary skill in the art to which said subject matter pertains. Patentability shall not be
> negatived by the manner in which the invention was made.

14.   Claims 3, and 11-20 rejected under 35 U.S.C. 103(a) as being

unpatentable over DeLorme et al. (5,948,040) (hereinafter DeLorme) in view

of Liddy et al. (6,026,383) (hereinafter Liddy).

15.   As per claim 3, DeLorme discloses step of analyzing the relevance

further includes combining three proximity measures into a single relevance

(col 22, lines 19-37).

DeLorme fails to disclose relevance score.

However, Liddy discloses relevance score(col 4, lines 1-2).

Therefore, it would have been obvious to one of ordinary skill in the art at the time invention was made to combine Liddy with DeLorme because it would provide optimal trip planner and the proximity decision will be based on the relevance score.

11. As per claims 11 and 19, DeLorme discloses a system for automatic relevance-based preloading information items to a computing device, comprising(col 48, lines 5-33):

a proximity estimator (col 32, lines 46-67) that determines a proximity of the information items to a user's task based on one or more of three proximity measures: distance, time, association (col 22, lines 19-37),

a relevance estimator (col 32, lines 46-67) that combines at least two of the three proximity measures into a single relevance (col 22, lines 19-37); an information retriever (col 32 lines 61-67) that retrieves information items (col 32 lines 61-67) with a relevance score higher than a predetermined threshold relevance(col 48, lines 5-33, zip code, phone exchange areas are setting relevance threshold); and

a device loader that processes (col 32 lines 61-67) the information items retrieved by the information retriever and preloads (col 14, lines 20-30) the retrieved information items to the computing device (col 14, lines 20-30 and col 12, lines 10-16).

DeLorme fails to disclose relevance score.

However, Liddy discloses relevance score(col 4, lines 1-2).

Therefore, it would have been obvious to one of ordinary skill in the art at the time invention was made to combine Liddy with DeLorme because it would provide optimal trip planner and the proximity decision will be based on the relevance score.

12. As per claim 12, DeLorme discloses further including an information catalog that contains a list of the information items to which a user has access (col 28, lines 1-55, and col 24, lines 1-28).

13. As per claims 13 and 20, DeLorme discloses the relevance estimator combines at least two of the three proximity Measures into a single relevance by weighting each of the at least two proximity measures (col 75, lines 1-32).

DeLorme fails to disclose relevance score.

However, Liddy discloses relevance score(col 4, lines 1-2).

Therefore, it would have been obvious to one of ordinary skill in the art at the time invention was made to combine Liddy with DeLorme because it would provide optimal trip planner and the proximity decision will be based on the relevance score.

14. As per claim 14, DeLorme discloses the relevance estimator combines at least two of the three proximity measures into a single relevance by computing a geometric mean of the at least two proximity measures (col 75, lines 1-32).

DeLorme fails to disclose relevance score.

However, Liddy discloses relevance score(col 4, lines 1-2).

Therefore, it would have been obvious to one of ordinary skill in the art at the time invention was made to combine Liddy with DeLorme because it would provide optimal trip planner and the proximity decision will be based on the relevance score.

15. As per claim 15, DeLorme discloses the distance proximity measure includes a difference between a user's planned location for a given task and a location of a scheduled task 9col 75, lines 1-32).

16. As per claim 16, DeLorme discloses the time proximity measure denotes immediacy of user's tasks (col 72, lines 1-44).

17. As per claim 17, DeLorme discloses the association proximity measure denotes persons and contacts associated with a location and purpose of a given task (col 72, lines 1-60).

18. As per claim 18 , DeLorme discloses including a location tracker that determines the user's location (fig 9, col 72, lines 1-7) .

Conclusion

16.   The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

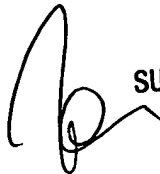U.S. Patent 6,252,544 to Hoffberg et al.

U.S. Patent 6,356,936 to Donoho et al.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mohammad A Siddiqi whose telephone number is (703) 305-0353. The examiner can normally be reached on Monday - Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John A Follansbee can be reached on (703)305-8498. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained

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access to the Private PAIR system, contact the Electronic Business Center

(EBC) at 866-217-9197 (toll-free).

MAS

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